

**DATE ISSUED:** May 19, 2006

**REPORT NO.** PC-06-168

**ATTENTION:** Planning Commission, Agenda of May 25, 2006

**SUBJECT:** **TIERRASANTA TOWNHOMES** - PROJECT NO. 61500  
**CINGULAR/VERIZON/SPRINT/T MOBILE** – PROJECT NO. 89848  
PROCESS 5

**REFERENCE:** Conditional Use Permit No. C-17951 (Attachment 16)

**OWNER:** Tierrasanta Christian Church and Shappel Industries, Inc. (Attachment 20)

**APPLICANT:** Intracorp -Keith Fernandez (Attachment 20)

**SUMMARY**

**Issue(s):** Should the Planning Commission recommend approval to the City Council of a new 60-unit residential condominium project and the relocation of four (4) existing wireless telecommunication facilities on a 6.86-acre site at 11445 Tierrasanta Boulevard? The site is located within the Tierrasanta Community Plan area.

**Staff Recommendation:**

1. Recommend **CERTIFICATION** to the City Council of Mitigated Negative Declaration No. 61500 and ADOPTION of the Mitigation, Monitoring and Reporting Program.
2. Recommend **APPROVAL** to the City Council of Rezone No. 184492.
3. Recommend **APPROVAL** to the City Council of Vesting Tentative Map No. 334358 with an Open Space Easement Abandonment No. 184493 and a waiver to underground

existing adjacent utilities.

4. Recommend **APPROVAL** to the City Council of Site Development Permit No. 330475.
5. Recommend **APPROVAL** to the City Council of Conditional Use Permit No. 287678, 287680, 287681, 287682
6. Recommend **APPROVAL** to the City Council of a Multi-Habitat Planning Area Boundary Line Adjustment

**Community Planning Group Recommendation:** On March 15, 2006 the Tierrasanta Community Council and Planning Group voted 14-0-0 to approve the project with conditions discussed within this report (Attachment 19).

**Environmental Review:** Mitigated Negative Declaration (MND) No. 61500 has been prepared for this project in accordance with the California Environmental Quality Act (CEQA) Guidelines. A Mitigation, Monitoring and Reporting Program (MMRP) has been prepared and will be implemented to reduce all potential impacts to below a level of significance. The MMRP addressed the issue areas of Biological Resources, Historical Resources (Archaeology), Land Use (MHPA Adjacency) and Paleontological Resources.

**Fiscal Impact Statement:** None with this action. All costs associated with the processing of this project are paid by the applicant.

**Code Enforcement Impact:** None.

**Housing Impact Statement:** The project will add 60 residential units to a site that is already developed and designated for open space. There will be a net increase of 60 units to the Tierrasanta Community as a result of this project. The applicant will be paying the in lieu fee for the affordable housing requirement.

## **BACKGROUND**

The project site is located at 11445 Tierrasanta Boulevard, within the Tierrasanta Community Plan area. The Tierrasanta Community Plan designates this site for open space (Attachment 2). Approximately 2.5 acres of the 6.86-acre site is currently developed with a church building, YMCA daycare, and associated surface parking (Attachment 22). The existing buildings were constructed in 1985 and the site has a recorded Conditional Use Permit No. C-17951 (Attachment 16) for the church, sanctuary, classrooms and other associated improvements which will be rescinded as part of this permit action.

The community plan recommends that open space which will not be acquired by the City, should be allowed to be developed at the same residential density as adjacent properties. The City is not going to purchase the developed subject property for open space. This site is adjacent to the El Dorado Apartments which is a multifamily residential development, located to the north and west along Tierrasanta Boulevard. The community plan states that a density between 5 and 10 du/acre is acceptable to the Planned Residential Development for El Dorado. The subject site is currently zoned for single-family residential (RS1-7 ).

During the mid to late 1990's, the Tierrasanta Christian Church became a telecommunication collocation site. Overall four carriers were each approved for light standards supporting antennas, as well as, four approximately 200 square foot equipment shelters. At the time of construction Conditional Use Permits for these facilities were not required; however, written agreements between the City and the carriers were implemented, which frames the conditions of approval. The current project integrates all four carriers into the condominium complex and individual Conditional Use Permits are being requested for each of the relocated facilities.

Portions of the site are designated Environmental Sensitive Lands (ESL) due to the presence of sensitive biological resources and steep slopes. The west-facing and south-facing slopes support Diegan coastal sage scrub and a portion of the site at the northwest, outside the project boundaries, has a small amount of riparian vegetation. In addition, the site is partially within the Multi-Habitat Planning Area (MHPA) (Attachment 18).

Police and Fire currently serve the site. The project site is located in the Eastern Division which is located at 9225 Aero Drive. Average emergency response times (Priority E) in the Eastern Division are 8.52 minutes and Priority One response times are 13.42 minutes. The nearest fire station is Fire Station 38, located at La Cuenta and Tierrasanta Boulevard. The average response time to the project site is 3.3 minutes.

## **DISCUSSION**

### **Project Description:**

The proposed project requires a Rezone from RS-1-7, a single-family residential zone to RM-1-1, a multi-family residential zone, Vesting Tentative Map with an Open Space Easement Abandonment and a waiver of the requirement to underground existing adjacent overhead utilities, a Site Development Permit, Conditional Use Permit and a Multi-Habitat Planning Area Boundary Line Adjustment to construct 60 residential condominium units and to relocate four (4) existing wireless telecommunication facilities at 11445 Tierrasanta Boulevard. The existing church building, YMCA daycare building and associated surface parking would be demolished.

The three-story, 60 unit residential condominiums would be divided between nine (9) separate buildings for a total gross floor area of 88,796 square feet. The project would include 28, two bedroom/two bath residential units with approximately 1,479 square feet per unit and 32, three

bedroom/three bath residential units with approximately 1,481 square feet per unit. Building 1 would contain 7 units. Building 2 would contain 10 units. Building 3, 4, 7, and 8 would each be 8-unit buildings. Building 5 and 6 would be 4-unit buildings. Finally, Building 9 would contain 3 units and the wireless facilities within a fourth story enclosure (Attachment 5).

Additionally, each residential unit will be provided a photovoltaic system which will supply more than fifty percent of the project's total energy consumption with a 1,590 watt dc solar photovoltaic system. The project meets the requirement for the Sustainable Buildings definition as established by Council Policy 900-14. The applicant intends to exceed the fifty percent minimum with a goal of one hundred percent of the total energy use for the new residential units.

Approximately 17,000 square feet of common exterior space would be provided. The majority of this open space is located at the center of the proposed development in the form of a common recreational area. The recreational area would include a tot lot, a barbeque area with tables, and an open turf area. The project is also proposing 3,848 square feet of private exterior space, 3,600 square feet is required by the zone and is requesting a deviation to allow private open space in the form of balconies and patios within 9-feet of the front property line. Due to the site constraints on the property, the secondary balconies along the northeastern property line (front yard) cannot be located at least 9-feet away from the property line.

Vehicular access to the proposed townhome project would be from the existing improved end of Tierrasanta Boulevard, at the northeast corner of the proposed development. Vehicles would access the site using the main driveway, which will connect to a series of short, dead-end driveways. The shorter driveways would be used to access the condominium garages. The project proposes 155 parking spaces, of which 120 would be provided as garage parking. The remaining 35 spaces are proposed as surface parking, with 3 serving as accessible spaces.

The project is proposing ornamental and drought-tolerant landscaping (Attachment 5). Pursuant to Section 142.0401 through Section 142.0413 of the City of San Diego's Land Development Code, the Land Development Manual's Landscape Guidelines, and the MSCP Land Use Adjacency Guidelines, invasive species would not be used.

### **Community Plan Analysis:**

The Tierrasanta Community Plan designates the site for open space. The Plan recommends that open space which will not be acquired by the City be allowed to be developed at the same residential density as adjacent properties. This site is adjacent to the El Dorado Apartments which is a multifamily residential development, located to the north and west along Tierrasanta Boulevard. The community plan states that a density between 5 and 10 du/acre is acceptable to the Planned Residential Development for El Dorado. The proposed project is designed to cluster the residential development in order to retain the maximum amount of open space and protect view corridors to the south, as recommended in the community plan. Therefore, staff found the proposed density of 9 du/acre acceptable for this development.

The site is currently zoned for single family residential, RS-1-7. The applicant is requesting a rezone to RM-1-1. This rezone would allow development on the site with a density consistent with the adjacent multi-family development as recommended by the community plan and is therefore consistent with the community plan.

The subject property runs parallel with the southern most unimproved portion of Tierrasanta Boulevard. On July 29, 2002, the City Council, at the request of the Tierrasanta Community Council, initiated a Community Plan amendment to remove the Tierrasanta Boulevard extension from the circulation element of the Tierrasanta Community Plan, by Resolution No. R-2003-145 (Attachemnt17). Due to budget constraints this update was never completed. Since this extension of Tierrasanta Boulevard may be removed from the community plan, the applicant will not be required to complete road improvements. However, the project has been conditioned to offer deferred street improvements by either entering into a bonded deferred improvement agreement for construction of the future road extension or pay a cash amount for their fair share of improvements, estimated at the time of construction, to the City for this obligation. If the cash option is exercised and the extension of Tierrasanta Boulevard is removed from the community plan, a cash reimbursement will be paid to the project's Homeowner's Association. In the meantime, the existing road easement area will be maintained by the Homeowners Association as a required brush management area which will also provide additional passive space for the residential development. The underlying owner of the road easement area is the Homeowners Association and once the road is vacated the area will remain undeveloped providing a pedestrian path that will serve the community.

### **Environmental Analysis:**

Mitigated Negative Declaration No. 61500 has been prepared and finalized for the project in accordance with State of California Environmental Quality Act (CEQA) Guidelines. During the Initial Study, research that included viewing aerial photographs, examination of the Multiple Species Conservation Program (MSCP) vegetation maps, and a site visit with a City staff biologist, indicated that potentially sensitive upland habitat existed on the west- and south-facing slopes adjacent to the existing developed footprint. In addition, the project proposes a Multi-Habitat Planning Area (MHPA) boundary adjustment to remove a small area from the MHPA at the southern portion of the site and add habitat to the MHPA in the north portion of the site.

### ***Biological Resources***

Project impacts to disturbed coastal sage scrub would vary based on the power line option chosen. The project would adversely impact a maximum of 0.6 acres of Diegan coastal sage scrub (Tier II) and would remove 0.1 acres of disturbed Diegan coastal sage scrub (Tier II) from the MHPA with a boundary adjustment along with the potential of removing up to an additional 0.1 acres of MHPA habitat land depending on the powerline undergrounding scenario that is

approved. These impacts would be mitigated by preservation of 0.8 acres of higher quality coastal sage scrub habitat onsite within the MHPA in the northern portion of the project, which would exclude areas within Brush Management Zones 1 and 2.

### *Multi-Habitat Planning Area*

A portion of the project site is located in the Multi-Habitat Planning Area (MHPA). The original MHPA boundary included an area of approximately 0.8 acres that was incorrectly mapped over an existing, legally permitted parking lot which was developed prior to MSCP. As a result, the boundary line was corrected on March 1, 2005 and the 0.8 acres were removed from the MHPA. However, the project also proposes to adjust the MHPA boundary to remove 0.1 acres at the southern portion of the project site and add 0.2 acres of higher quality habitat to the MHPA at the northern end of the project site. The adjustment was approved by the U.S. Fish and Wildlife Service and the California Department of Fish and Game on September 15, 2005. The boundary adjustment would still require City Council approval before it would be officially changed. Because the habitat quality proposed for inclusion is of equal or greater habitat quality and is better connected to the MHPA than the portion proposed for removal, a significant land use impact would not occur.

Final determination regarding the biological value of a proposed boundary change will be made by the City per the MSCP Plan and with concurrence of the wildlife agencies.

According to the City's MSCP Plan, adjustments to the MHPA boundary may be made without amending the Subarea Plan or the MSCP in cases where the new MHPA boundary preserves an area with equivalent or greater biological value. Final determination regarding the biological value of a proposed boundary change will be made by the City per the MSCP Plan and with concurrence of the wildlife agencies.

### **Rezone**

The property is currently zoned RS-1-7 and the requested rezone is to RM-1-1 to allow the property to be redeveloped with multi-family condominiums totaling 60 units, with an overall density of 9 du/ac. The request for a rezone to RM-1-1 is consistent with the community plan.

The proposed rezone is compatible with the existing development pattern of the surrounding area. The immediately adjacent properties to the north and northwest are designated as low density residential and are developed with multi-family units, and the areas to the south are designated as open space.

### **Vesting Tentative Map**

A Vesting Tentative Map is requested for the subdivision of a 6.86 acre site to create 60 residential condominium units. Lot A will be homeowners association owned open space and

will be maintained as appropriate brush management. An open space easement also covers all of lot A.

#### *Underground Waiver*

San Diego Municipal Code Section 144.0240 allows the subdivider to apply for a waiver from the requirement to underground the existing overhead utilities within the boundary of the subdivision or within the abutting public rights of way. City staff has determined the undergrounding waiver request qualifies under the guidelines of Council Policy 600-25 Underground Conversion of Utility Lines at the Developer's Expense. The applicant would be required to underground any new service run to any new or proposed structures within the subdivision per Condition No.thirteen (13) of the draft Vesting Tentative Map resolution.

The project site currently hosts six utility poles and lines which run the entire length of the eastern portion of the property. Undergrounding the utilities would require extensive grading and disturbance to environmentally sensitive slopes, vegetation, including wetlands. The utilities do not serve any power to the project site. The environmental document has reviewed three options regarding the utilities.

The applicant has requested a waiver to underground the existing overhead utilities on the basis that the undergrounding of the powerlines bordering the southwest of the property would be technically and financially impractical. San Diego Gas and Electric has requested that the overhead power lines remain above ground due to the access issues inherent in maintaining underground facilities in an area with challenging topography, sensitive vegetation and inaccessible areas (Attachment 23).

The estimated cost associated with the undergrounding of the utilities is in excess of \$850,000 above and beyond the costs of any grading and site work necessary to construct an access acceptable to the company (Attachment 24).

***Power Line Option 1-Underground Same Alignment***, Avoid Riparian Area. Under this option, 0.6 acres of Diegan Coastal Sage Scrub/Tier II habitat and 0.3 acres of eucalyptus woodland /Tier IV habitat would be impacted. No wetland impacts would occur.

Of the habitat impacts under this scenario, only the 0.6 acres of Diegan Coastal Sage Scrub (0.1 acres within the MHPA/0.5 acre outside the MHPA) requires mitigation. Mitigation would be at a ratio of 1:1 and would occur via onsite preservation of at least 0.6 acres of existing Diegan Coastal Sage Scrub. A 0.8-acre area has been identified onsite for this purpose.

***Power Line Option 2-Underground Small Section***. Under this option, 0.45 acres of Diegan Coastal Sage Scrub/Tier II habitat and 0.23 acres of eucalyptus woodland /Tier IV habitat would be impacted. No wetland impacts would occur.

Of the habitat impacts under this scenario, only the 0.45 acres of Diegan Coastal Sage Scrub

(0.05 acres within the MHPA/0.4 acres outside the MHPA) requires mitigation. Mitigation would be at a ratio of 1:1 and would occur via onsite preservation of at least 0.45 acres of existing Diegan Coastal Sage Scrub. A 0.8-acre area has been identified onsite for this purpose.

***Power Line Option 3-No Change.*** Under this option, 0.4 acres of Diegan Coastal Sage Scrub/Tier II habitat and 0.23 acre of eucalyptus woodland /Tier IV habitat would be impacted. No wetland impacts would occur.

Of the habitat impacts under this scenario, only the 0.44 acres of Diegan Coastal Sage Scrub (0.04 acres within the MHPA/0.4 acre outside the MHPA) requires mitigation. Mitigation would be at a ratio of 1:1 and would occur via onsite preservation of at least 0.44 acre of existing Diegan Coastal Sage Scrub. A 0.8-acre area has been identified onsite for this purpose.

Staff is in support of a waiver from the requirement to underground utilities on the basis of meeting the requirements for such a wavier contained in Council Policy 600-25.

#### *Open Space Easement Abandonment*

An open space easement abandonment is being requested for an area located at the southern portion of the planned development (Attachment 5). The open space is currently part of the MHPA area which has been adjusted further south. As part of this development proposal the project's Homeowner Association will maintain all of lot A as an updated open space easement and maintain the brush management for the entire area. This updated open space easement will be recorded to ensure protection of environmental resources and accountability of maintenance. An easement for San Diego Gas and Electric shall remain on the most southern portion of lot A for continued access and maintenance of public utilities.

#### **Site Development Permit**

The project is requesting a Site Development Permit for deviations to the development regulations. Staff supports this request because the project meets the requirements of Council Policy 900-14. Specifically, the development will provide energy-efficient building techniques as well as energy-generating photovoltaic roofs throughout the development. It will also meet the guidelines of the Leadership in Energy and Environmental Design (LEED) "Silver" level Certification per Council Policy 900-14. The Project also requires a Site Development Permit for Environmentally Sensitive Lands, adjacency to MHPA and for exceeding the height limit of the RM-1-1 zone. The project's design and deviation requests are primarily to minimize impacts to the steep slopes, sensitive vegetation and MHPA by the development while also meeting the goals of the community plan.

#### Deviations

Height— The proposed rezone to RM-1-1 has a height limitation of 30-feet. Building nine (9) is

proposed to be approximately 41-feet to accommodate the architectural integration of the relocated wireless antennas within a fourth story enclosure. The remaining eight (8) buildings will range in height from 33-feet to 37-feet (Attachment 5). Staff supports the height deviations because the buildings have been clustered to minimize impacts to slopes, sensitive vegetation and MHPA.

Setbacks - The proposed development is requesting a deviation to the front and side yard setbacks. The required front yard setback is a minimum of 15-feet. As proposed the project observes a range of front yard setbacks from no less than 5-feet to 11.66 feet. This is an average of 7.43-feet for the 9 buildings which will border the unimproved area of Tierrasanta Boulevard. A 5-foot minimum front yard setback is proposed along the portion of the lot adjacent to Tierrasanta Boulevard. Buildings 1, 2, 8, and 9 which observe the proposed minimum cannot be located any further away from the front property line due to constraints resulting from the existing MHPA boundary and open space easement. In addition, Buildings 1 and 2 cannot be moved any further away because access into the site would be affected.

The side yard setback is 5-feet or 10 percent of the lot width (approximately 150 feet), whichever is greater. The applicant is proposing to deviate from the required side yard setback along the southeastern property line and is proposing a 140-foot side yard due to the existing MHPA boundary and open space easement. The development provides a 500-foot side yard setback to the north which contains sensitive vegetation, biology and steep slopes.

Staff considered the elongated and irregular shape of the lot, MHPA, brush management and the implementation of the Community Plan density for the site before supporting the proposed setback deviations. The final grading and topography relationship would leave the proposed development higher than Tierrasanta Boulevard. Staff also considered the fact that once the community plan is amended to remove Tierrasanta Boulevard, the development will meet the required front yard setbacks

Refuse and Recycling Storage – The current development regulations require each structure provide one exterior storage area totaling at least 288 square feet for the entire development. Six out of the nine buildings do meet the requirement and overall the entire development exceeds the requirement by providing a total of 360 square feet in total. However, due to the site configuration, MHPA boundary, brush management and site access, it is not feasible to provide storage areas for each structure. In addition, providing a storage area per structure would have impacted the pedestrian orientation of the project.

Private Open Space - Due to the site constraints, the secondary balconies along the northeastern property line (front yard) cannot be located at least nine feet away from the property line, per the Land Development Code. The applicant is requesting a deviation to allow balconies and patios within 9-feet of the front property line. The irregular shape of the lot adds to the inability to conform to the requirement that private open space be located at least nine feet from the front property line. The required private open space for the project is 3,600 square feet. By incorporating the proposed

deviation, the project would provide 3,848 square feet of private open space. Additionally, the proposed project provides over 17,000 square feet of common open space, when only 1,500 square feet is required. An enhanced landscaped area totaling over 65,000 square feet will also be provided along the front of the project.

Retaining walls - The project contains steep slopes and sensitive vegetation. Retaining walls are proposed within the front and rear yards and outside of the yards that exceed the height limits for walls per the Land Development Code Section 142.0340

The maximum permitted retaining wall height within the required front yard setback is 3 feet. There is a retaining wall at the southeastern corner of the lot that projects into the required front yard setback. The wall ranges in height from 3 to 15-feet and is 140-feet long. The upper 4.5 feet of the entire wall is transparent tubular steel and gradually decreases in height as it meets the proposed grade. Approximately, 30-feet of the proposed retaining wall screens the utility equipment area to the extreme south of the property where it is the highest. As the wall continues along the front of the property, it starts at approximately 6 feet decreasing to 1.5-feet as it approaches the northern portion of the property. In addition, a 6-foot vegetated combination, greenscreen and wrought iron fence is proposed atop the retaining wall. The fence is needed to protect pedestrians from the project side of the development from a steep decline and is designed to maintain views and minimize visual impacts. (Attachment 5)

The maximum permitted retaining wall height within the required rear yard is 6-feet. There are two retaining walls within the required rear yard setback at the southwestern portion of the lot that exceed the height limit:

6-20-feet high; 100 feet long (40-feet of the wall is 18-20-feet high); upper 3 feet is tubular steel.

9-16-feet high; 40-feet long upper 4.5-feet of the wall is tubular steel.

The tubular steel portion of the walls are required to protect pedestrians on the project side of the development from a steep decline and is designed to maintain views and minimize visual impacts.

The maximum permitted retaining wall height outside of any setback is 12 feet. There are three walls that exceed this height. These walls do not exceed 16.5 feet in height as follows:

12-16-feet; 210-feet long; upper 3-feet of wall is transparent tubular steel.

12-16-feet; 40-feet long; upper 4.5-feet of wall is transparent tubular steel.

12-16.5-feet; 140 feet long; upper 4.5-feet of wall is transparent tubular steel.

The retaining walls are being proposed to stabilize slopes surrounding the project. The walls will also help mitigate runoff and prevent intrusion on the surrounding habitat. Additionally, without the proposed walls additional grading would have been required to create an acceptable building area. The proposed retaining wall's lower portion would be constructed with solid masonry and the upper portion would be constructed with tubular steel to maintain views and minimize visual impacts. The walls will be screened with the appropriate landscaping which will be maintained by the Homeowners Association.

### **Conditional Use Permit**

A Conditional Use permit is required for telecommunication facilities within the RM-1-1 zone. This project proposes to integrate four existing carriers into the condominium complex. The project consists of 4-6 antennas for each carrier (22 total), all of which are proposed to be located behind an architecturally integrated fourth story addition on Building 9 of the complex, which is located on the southern most portion of the project site. The architectural screen is designed to utilize the same building materials and design elements that are similar in appearance to the rest of the buildings, while completely concealing the antennas from view (Attachment 7). This proposal is an improvement over the current conditions at the church site.

In addition, each carrier will have a 200 square foot equipment enclosure, all of which are proposed to be congregated below Building 9, approximately six feet lower in grade. The enclosures are designed to compliment the condominium complex building materials and will include split face block and aluminum trellises (Attachment 5). The perimeter of the equipment area is proposed to be enclosed using greenscreen (or equivalent), in addition to landscape materials to mitigate any potential visual impacts of the area from the canyon below and other adjacent properties.

During construction of the condominium complex, the existing telecommunication facilities will be temporarily relocated to a central area of the property, removed from construction activity, and will consist of four temporary power poles supporting up to six panel antennas each. Equipment for each carrier will be comprised of a small cabinet and associated power and telco. The temporary facilities are an interim measure that will allow the carriers to continue to provide wireless coverage during construction of the condominium complex. The CUP's are conditioned to allow these facilities to exist for up to a year and if additional time is required, a review and approval process has been incorporated in to the permit to accommodate that. Final inspection of the condominium project will not be permitted until the temporary facilities have been removed.

**Community Planning Group Recommendation:** On March 15, 2006 the Tierrasanta Community Council and Planning Group made a motion to approve the project with conditions. The motion passed 140-0. The group's conditions are as follows in italics with staff response (Attachment 19).

1.) *The Tierrasanta Community Council requested that a signage plan, lighting plan, trash management plan and exterior color scheme be provided for their approval prior to the issuance of building permits.*

The project will be required to comply with all Land Development Code regulations and any other applicable regulations regarding signage, lighting and trash management. There are no deviations from these regulations being proposed. This recommendation has not been incorporated into the permit.

2.) *The Tierrasanta Community Council is requiring they approve the Homeowners Association of the draft CC & R's.*

The City of San Diego does not enforce Homeowner Association regulations and therefore would not include this as a permit condition.

3.) *The Tierrasanta Community Council is requiring that the full complement of the 155 on-site parking spaces be maintained for the life of the project.*

The project will be conditioned to maintain the 155 on-site parking spaces as provided in the approximate locations on the Exhibit A. The 155 spaces is an excess of the required parking by 20 spaces and is a permit condition.

**Critical Project Features to Consider Should a Substantial Conformance Review Be Requested**

- Site Design: The project design should not increase the amount of deviation from the regulations of the development regulations of the underlying zone, and the proposed height deviation should not be increased, unless the requested approvals are amended.
- Environmental Documents: The project design should remain within the parameters of the scope of the Mitigated Negative Declaration.

**Conclusion:**

Other than the requested deviations, for which staff believes that findings can be made, staff finds the proposed project would be consistent with the recommended land use, design guidelines, and development standards in effect for this site per the San Diego Municipal Code. Staff has also determined the project would not have an adverse effect on the adopted Tierrasanta Community Plan, the City of San Diego Progress Guide and General Plan.

## ALTERNATIVES

1. Recommend that the City Council **Certify** Mitigated Negative Declaration 61500 and adopt the Mitigation, Monitoring and Reporting Program; **Approve** Rezone No. 184492 **Approve** Vesting Tentative Map No. 334358 with an Open Space Easement Abandonment No.184493 and a waiver to underground existing adjacent utilities; **Approve** Site Development Permit No. 330475; **Approve** Conditional Use Permit No. 287678, 287680, 287681, 287682 with modifications; **Approve** the Multi-Habitat Planning Area Boundary Line Adjustment
2. Recommend that the City Council **Not Certify** Mitigated Negative Declaration **61500** and adopt the Mitigation, Monitoring and Reporting Program; **Deny** Rezone No. 184492 **Deny** Vesting Tentative Map No. 334358 with an Open Space Easement Abandonment No.184493 and a waiver to underground existing adjacent utilities; **Deny** Site Development Permit No. 330475; **Deny** Conditional Use Permit No. 287678, 287680, 287681, 287682 **Deny** the Multi-Habitat Planning Area Boundary Line Adjustment, if the findings required to approve the project cannot be affirmed.

**Respectfully submitted,**

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**Mike Westlake**  
**Program Manager**  
**Development Services Department**

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**Helene Deisher, Project Manager**  
**Development Services Department**

WESTLAKE/HMD

Attachments:

1. Aerial Photograph
2. Community Plan Land Use Map
3. Project Location Map
4. Project Data Sheet
5. Project Site Plan(s)
6. Vesting Tentative Map
7. Project Plans (Include as appropriate/relevant.)
8. Draft Map Conditions and Subdivision Resolution
9. Draft Site Development Permit with Conditions

10. Draft Conditional Use Permit with Conditions
11. Draft Resolution with Findings
12. Draft Rezone Ordinance
15. Rezone - B Sheet
16. Copy of Recorded Conditional Use Permit No. 17951
17. Copy of the City Council Resolution No. R-296859
18. MHPA Boundary graphic
19. Community Planning Group Recommendation
20. Ownership Disclosure Statement
21. Project Chronology
22. Site photos of current conditions
23. SDG&E Letter
24. Butsko Letter estimation of utility underground costs
25. Planning Commission Resolution